



RCE/37136/83  
#13

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See the American Inventors Protection Act of 1999 (AIPA).

|                        |                |
|------------------------|----------------|
| Application Number     | 09/536,762     |
| Filing Date            | March 28, 2000 |
| First Named Inventor   | Akio YAMANISHI |
| Group Art Unit         | 3736           |
| Examiner Name          | Kremer, M.     |
| Attorney Docket Number | 44319-051      |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application

**NOTE:** 37 C.F.R. § is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Preliminary Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

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01 FC:1801 740.00 CH  
02 FC:1253 810.00 CH

2. **Miscellaneous**

- a. ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.1.03(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 500417.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) \$740.00
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) \$810.00
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |                |                                   |                   |
|-------------------|----------------|-----------------------------------|-------------------|
| Name (Print/Type) | Edward J. Wise | Registration No. (Attorney/Agent) | 34,523            |
| Signature         |                | Date                              | December 19, 2002 |

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Parents, Box RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

|                  |  |      |  |
|------------------|--|------|--|
| Name(Print/Type) |  | Date |  |
| Signature        |  |      |  |



Docket No.: 44319-051

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

1-14-03

15/C

In re Application of :  
Akio YAMANISHI :  
Serial No.: 09/536,762 : Group Art Unit: 3736  
Filed: March 28, 2000 : Examiner: Kremer, M.  
For: TRANSCUTANEOUS BILIRUBIN CONCENTRATION MEASURING  
APPARATUS AND A MEASUREMENT DATA CHECKING PLATE FOR USE  
WITH THE SAME

AMENDMENT WITH RCE

**RECEIVED**

**DEC 24 2002**

Assistant Commissioner for Patents  
Washington, DC 20231

TECHNOLOGY CENTER #3700

Sir:

The following amendment and remarks are submitted with the filing of the RCE.

IN THE CLAIMS

Please amend claim 1 as follows:

1. (Twice Amended) A bilirubin concentration measuring apparatus, comprising:
- a light emitter for emitting a light which includes a first luminous flux falling in a first wavelength range and a second luminous flux falling in a second wavelength range, their bilirubin absorption coefficients differing from each other;
- a light emerging port for projecting the light including the first and second luminous fluxes onto skin of a person;